



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

EXECUTION NO. 258 OF 2024

IN

COMPLAINT NO. 1415 OF 2022

Shri Bhagwan

....DECREE HOLDER

VERSUS

Raheja Developers Ltd.

.....JUDGMENT DEBTOR

Date of Hearing:- 26.11.2024

Hearing:- 3rd


Present: - None for the decree holder.

None for the judgment debtor.

ORDER

Today, case is fixed for issuing attachment of the bank account after providing details of the bank account of the judgment debtor by the decree holder. The same has not been provided.

2. Sh. Lalman Yadav, Advocate appeared through video conferencing to claim that he is appearing for judgment debtor but when questioned about his


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power of attorney or memo of appearance as not on record, he did not have any answer to give but requested a date.

Since, Sh. Lalman Yadav, Advocate has no power of attorney or memo of appearance issued by judgment debtor in accordance with procedure laid, he cannot be treated as a counsel for judgment debtor. In the given circumstances, it is held that none appeared on behalf of the judgment debtor as had not been appearing since last three hearings.

Case called several times but none has appeared on behalf of decree holder as well as judgment debtor. It is already 04:00 PM. No further wait is justified. Hence, the present execution petition is **dismissed in default** for want of prosecution on the part of both parties, in view of the provisions of Order XXI Rule 105 of CPC, as this Forum while exercising the power under Section 40 of the RERA Act, 2016 read with Rule 27 of HRERA, Rules, 2017, is competent to exercise powers of a Civil Court, in the same manner as Civil Court is dealing with execution of a civil decree.


26/11/2024

File be consigned to consigned record room after uploading
order on website of the Authority.



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MAJOR PHALIT SHARMA
ADSJ(Retd.)
ADJUDICATING OFFICER

26.11.2024